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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,637	03/26/2001	Sandeep K. Singhal	RSW920000164US1	6891

7590 07/28/2004

A. Bruce Clay
IBM Corporation T81/503
P.O. Box 12195
Research Triangle Park, NC 27709

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,637

Applicant(s)

SINGHAL, SANDEEP K.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-34 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-3.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. Claims 1-34 are presented for examination.

Priority

2. No priority claims have been made.
3. The effective filing date for the subject matter defined in the pending claims in this application is 03/26/2001.

Information Disclosure Statement

4. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 2-3, is attached to the instant Office action. Note: Non-translated Foreign Patent Documents disclosed in Applicant's IDS were reviewed based only on the available English abstracts.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Kamper (U.S. Patent Number 6,654,797).

7. The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

Art Unit: 2144

the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

8. Regarding claim 1, Kamper disclosed a method for configuring a network, comprising: configuring a first device for use in the network; storing first configuration information for the first device on a storage device; reading the first configuration information from the storage device at a second device; and configuring the second device for use in the network based on the first configuration information, wherein the step of configuring the first device and the step of configuring the second device are performed prior to networking the first device and the second device (Title, Abstract, Figures 4, column 2 lines 3-19, column 3 line 45-column 4 line 18, column 5 line 65-column 6 line 11, column 7 lines 17-43)

9. Regarding claims 2-6, Kamper disclosed a method: wherein the step of configuring the first device comprises configuring a host application; wherein the first configuration information includes a host address, wherein the step of configuring the second device comprises configuring a client application to communicate with the host application over the network; wherein the host application is selected from a list of possible host applications for the client application; and a method further comprising storing second configuration information for the second device on the storage device (column 3 lines 16-27, column 4 lines 6-18, column 6 lines 34-63, column 7 line 63-column 8 line 33).

10. Regarding claims 7-9, Kamper disclosed a method: wherein the step of configuring the second device comprises generating default values based on the first configuration information; wherein the step of configuring the second device comprises

Art Unit: 2144

copying the configuration of the first device; and wherein the storage device is a floppy disk (column 3 line 45-column 4 line 18, column 5 lines 20-34, column 7 lines 8-28, column 7 line 63-column 8 line 33).

11. Regarding claims 10-17 and 26-32, the limitations of these claims are similar to the limitations of claims 1-9, and thus these claims are rejected using the same rationale.

12. Regarding claims 18-25, the apparatus for configuring a network corresponds directly to the method of claims 1-9, and thus these claims are rejected using the same rationale.

13. Regarding claim 33, the computer program product for configuring a network corresponds directly to the method of claim 1 and the apparatus of claim 18, and thus is rejected using the same rationale.

14. Regarding claim 34, the computer program product for configuring a network corresponds directly to the method of claim 10 and the apparatus of claim 26, and thus is rejected using the same rationale.

15. Since all the limitations of the claimed invention were disclosed by Kamper, claims 1-34 are rejected.

16. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Keichmeyer et al. (U.S. Patent Number 6,286,038), hereinafter referred to as Keichmeyer.

17. Regarding claim 1, Keichmeyer disclosed a method for configuring a network, comprising: configuring a first device for use in the network; storing first configuration

Art Unit: 2144

information for the first device on a storage device; reading the first configuration information from the storage device at a second device; and configuring the second device for use in the network based on the first configuration information, wherein the step of configuring the first device and the step of configuring the second device are performed prior to networking the first device and the second device (Title, Abstract, Figures 2-4, column 2 line 45-column 3 line 6, column 3 line 13-47, column 6 lines 24-42). Note: It is usually inherent for the step of configuring a network device to take place prior to networking the device to another device such as a network host in order for the device to communicate with the host.

18. Regarding claim 2, Keichmeyer disclosed a method wherein the step of configuring the first device comprises configuring a host application [configuration server] (Figure 3, column 4 lines 17-30, column 6 lines 24-42, column 7 lines 43-58).

19. Regarding claim 3, Keichmeyer disclosed a method wherein the first configuration information includes a host address (Figure 9, column 3 lines 13-17, column 4 lines 17-30, column 7 lines 2-17).

20. Regarding claim 4, Keichmeyer disclosed a method wherein the step of configuring the second device comprises configuring a client application to communicate with the host application over the network (Abstract, Figures 2- 3, column 6 lines 24-42, column 7 lines 43-58).

21. Regarding claim 5, Keichmeyer disclosed a method wherein the host application is selected from a list of possible host applications for the client application (column 7 lines 17-22, column 8 lines 33-42, column 8 lines 24-26).

22. Regarding claim 6, Keichmeyer disclosed a method further comprising: storing second configuration information for the second device on the storage device (column 2 lines 44-64, column 34-41, column 12 lines 38-49).

23. Regarding claim 7, Keichmeyer disclosed a method wherein the step of configuring the second device comprises generating default values based on the first configuration information (column 3 lines 30-54, column 6 lines 24-42, column 7 line 59-column 8 line 17).

24. Regarding claim 8, Keichmeyer disclosed a method wherein the step of configuring the second device comprises copying the configuration of the first device (column 3 lines 30-54, column 6 lines 24-42, column 7 line 59-column 8 line 17).

25. Regarding claim 9, Keichmeyer disclosed a method wherein the storage device is a floppy disk [PCMCIA disk, removable storage media] (column 3 lines 30-42).

26. Regarding claims 10-17 and 26-32, the limitations of these claims are similar to the limitations of claims 1-9, and thus these claims are rejected using the same rationale.

27. Regarding claims 18-25, the apparatus for configuring a network corresponds directly to the method of claims 1-9, and thus these claims are rejected using the same rationale.

28. Regarding claim 33, the computer program product for configuring a network corresponds directly to the method of claim 1 and the apparatus of claim 18, and thus is rejected using the same rationale.

Art Unit: 2144

29. Regarding claim 34, the computer program product for configuring a network corresponds directly to the method of claim 10 and the apparatus of claim 26, and thus is rejected using the same rationale.

30. Since all the limitations of the claimed invention were disclosed by Reichmeyer, claims 1-34 are rejected.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. McGill, III et al. (U.S. Patent Number 5,469,573) disclosed a data backup procedure and apparatus for backing up and restoring, or otherwise loading a fully configured operating system to the high capacity storage device. The method includes providing a first media having the desired operating system files to be loaded onto the storage device, providing a second media having configuration-specific data files, initializing the data processing system from the second media to provide a temporary operating system using the configuration-specific data files, loading the desired operating system files from the first media to the storage device using the temporary operating system, and reinitializing the data processing system with the desired operating system from the storage device. Embodiments of the method include providing the first media by copying the desired operating system files, or all the files, stored on the storage device to the first media. Other embodiments include providing the configuration-specific data files to the second media by copying the configuration-specific data files from the storage device to the second media.

Art Unit: 2144

b. Awasthi et al. (U.S. Patent Number 6,708,229) disclosed techniques for configuring network device include storing device information related to multiple network devices, and configuring the network devices based on the stored device information using a device driver. Techniques for installing a network device, include initiating a search of stored device information by a device driver, receiving in the device driver information about the peripheral device in response to the search, and configuring the device using the received information

c. Li et al. (U.S. Patent Number 6,012,088) disclosed an automatic configuration process to handle the task of configuring the Internet access device. A not yet configured Internet access device is shipped directly to a customer without having to be manually configured first. The customer enters a registration identification number and a telephone number onto the Internet access device. The Internet access device then automatically connects to the Internet, downloads configuration data from a configuration server containing customer site-specific configuration data, and then automatically configures itself for communication with the Internet.

32. Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone

Art Unit: 2144


number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tp
July 23, 2004

William Cuchlinski
SPE
Art Unit 2144
703-308-3873



WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3000